

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

MTSBA

In the matter of the amendment of)
ARM 10.57.102, 10.57.112,)
10.57.201, 10.57.201A, 10.57.215,)
10.57.216, 10.57.301, 10.57.410)
through 10.57.421, 10.57.424 through)
10.57.430, 10.57.432 through)
10.57.436, 10.57.601A and repeal of)
ARM 10.57.104, 10.57.110,)
10.57.220, 10.57.422, and 10.57.423)
relating to educator licensure)

NOTICE OF PUBLIC HEARING ON
PROPOSED AMENDMENT AND
REPEAL

TO: All Concerned Persons

1. On February 24, 2009, at 9:00 a.m. a public hearing will be held in the conference room of the Office of Public Instruction building at 1300 11th Avenue, Helena, Montana, to consider the amendment and repeal of the above-stated rules.

2. The Board of Public Education will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Public Education no later than 5:00 p.m. on February 10, 2009, to advise us of the nature of the accommodation that you need. Please contact Steve Meloy, P.O. Box 200601, Helena, MT 59620-0601, telephone: (406) 444-6576, fax: (406) 444-0847, e-mail: smeloy@mt.gov.

3. The rules proposed to be amended provide as follows, stricken matter interlined, new matter underlined:

10.57.102 DEFINITIONS The following definitions apply to this chapter.

(1) "Acceptable evidence" means current official transcripts, portfolio, and such other data as may be deemed necessary by the Board of Public Education and/or the Superintendent of Public Instruction.

(2) "Accredited" refers to program approval (accreditation) by the National Council for the Accreditation of Teacher Education (NCATE) and/or accreditation by a state board of education or a state agency. In circumstances where the accrediting body is a state board of education or a state agency, the Montana Board of Public Education has the discretion to determine whether such accreditation ensures that the standards are substantially equivalent or greater than the standards required in Montana.

(3) remains the same.

(a) an educator preparation program accredited by NCATE; and/or

(b) and (4) remain the same.

(a) a program for the preparation of specialists accredited by a national professional accrediting body; and/or

(b) through (8) remain the same.

(9) "College credit" means credit received for completion of a course from an regionally accredited college. College credits are counted as one quarter credit being equal to 10 clock hours, or one semester credit being equal to 15 clock hours. One semester credit is equivalent to one and one-half quarter credits and one quarter credit is equivalent to two-thirds semester credit.

(10) through (14) remain the same.

(15) "Minimal education educator licensure requirements" means:

(a) a baccalaureate bachelor's degree from a regionally accredited institution of higher education;

(b) remains the same.

(c) verification of student teaching or one year of teaching experience in an elementary and/or secondary school or school district either in Montana or elsewhere or eligibility for a Class 5 alternative license to complete this requirement.

(16) through (18) remain the same.

(19) "Supervised teaching experience" means teaching experience while under the supervision of an accredited professional educator preparation program and is identified on a university transcript as field experience, internship, practicum, or student teaching.

~~(19)~~ (20) "Year of administrative experience" means employment in an accredited school during a school fiscal year as a licensed member of a supervisory or administrative staff. The experience required must be obtained in a school organization consistent with Montana's K-12 pattern. Experience gained prior to basic eligibility for initial licensure is not considered. Any individual wishing to have their experience as a County Superintendent considered as "administrative" experience must provide evidence of the following:

(a) possession of a Class 3 administrative license for the time as County Superintendent they are requesting to be considered for administrative experience; and

(b) the school(s) they are claiming to hold or have held supervisory responsibilities over have noted there is no superintendent or principal by having the chair of the Board of Trustees sign the school's Annual Data Collection report.

(20) (21) "Year of teaching experience" means employment in an accredited school during a school fiscal year as a licensed member of an instructional staff. The experience required must be obtained in a school organization consistent with Montana's K-12 pattern. Experience gained prior to basic eligibility for initial licensure is not considered.

(21) remains the same but is renumbered (22).

AUTH: 20-4-102, MCA

IMP: 20-4-106, MCA

10.57.112 LICENSE OF EXCHANGE TEACHERS (1) A Class 5 license may be issued for one year to a teacher, administrator, or specialist who is on an exchange program with a school district or university, when the university-employed exchange teacher is assigned in the role of a Class 8 dual credit-only postsecondary faculty.

AUTH: 20-4-102, MCA
IMP: 20-4-103, MCA

10.57.201 GENERAL PROVISIONS TO ISSUE LICENSES (1) and (2)
remain the same.

(a) individuals who have a current professional - not provisional or alternative - teacher, specialist, or administrator license from another state in an area that can be licensed in Montana. This section applies only to individuals who have completed an applicable accredited professional educator preparation program in an area that can be licensed in Montana and have satisfied minimal education educator licensure requirements as defined in ARM 10.57.102;

(b) individuals who have graduated within the last five years from an accredited teacher, specialist, or administrator professional educator preparation program in an area that can be licensed in Montana and have satisfied minimal education educator licensure requirements as defined in ARM 10.57.102;

(i) an applicant for initial Class 1, 2, or 3 licensure whose degree is more than five years old and who does not have current out-of-state licensure must have earned six semester credits within the five-year period preceding the effective date of the license;

(ii) an applicant for an initial Class 6 license whose degree is more than five years old and who does not have current out-of-state licensure must have earned six graduate semester credits within the five-year period preceding the effective date of the license;

(c) individuals who hold a current license from the National Board for Professional Teaching Standards in an area that can be licensed in Montana and have satisfied minimal education educator licensure requirements as defined in ARM 10.57.102;

(d) individuals who currently hold a Class 5 alternative license who meet one or more of the above three qualifications and have satisfied minimal education educator licensure requirements as defined in ARM 10.57.102;

(e) individuals seeking initial Class 1 or 2 licensure must verify completion of a supervised teaching experience either as part of an accredited professional educator preparation program or successfully complete one year of supervised internship in a state accredited elementary and/or secondary school or school district either in Montana or elsewhere.

(3) Applicants for initial Class 4 licensure who have a current career and ~~vocational~~/technical license from another state in an area that can be endorsed in Montana shall be licensed as Class 4A, 4B, or 4C depending on the level of education and extent of training.

(4) Applicants for initial Class 5 alternative licensure who meet the requirements of ARM 10.57.424 and the relevant section(s) of ARM 10.57.425 through 10.57.432 may be licensed as appropriate.

(4) and (5) remain the same but are renumbered (5) and (6).

AUTH: 20-4-102, MCA
IMP: 20-4-103, MCA

10.57.201A CRIMINAL HISTORY BACKGROUND CHECK (1) through (3) remain the same.

(4) ~~The applicant~~ Neither the Superintendent of Public Instruction nor the Board of Public Education shall bear the costs of the background check.

(5) remains the same.

(6) The Superintendent of Public Instruction may accept the results of a background check conducted for field experiences required by a professional educator preparation unit of the Montana university system or a private college or university in Montana of a student, for employment in a public school or school district, provided the background check was completed no more than two years before the applicant submits a license application to the Superintendent of Public Instruction.

(7) remains the same.

(8) Each provider who is the subject of a background check is entitled to:

~~(a) obtain a copy of any background check report; and~~

~~(b) challenge the accuracy and completeness of any information contained in any such report and obtain a prompt determination as to the validity of such challenge before a final determination is made by the authorized agency.~~

(9) remains the same.

(10) Conviction, including conviction following a plea of nolo contendere, a conviction in which the sentence is suspended or deferred, or any other adjudication treated by the court as a conviction, may be considered by the Superintendent of Public Instruction in the ~~certification~~ licensure process if the conviction was for a sexual offense, a crime involving violence, the sale of drugs, or theft, or any other crime meeting the criteria of Title 37, chapter 1, part 2, MCA.

~~(11) This rule shall be effective for persons applying for licensure on or after January 1, 2003.~~

AUTH: 20-4-102, MCA

IMP: 20-4-103, 20-4-104, MCA

10.57.215 RENEWAL REQUIREMENTS (1) remains the same.

(a) Class 1, ~~and 3, and 7~~ licenses require 60 renewal units;

(b) through (b)(v) remain the same.

(c) Class 3 licenses require 60 renewal units;

(d) Class 4 licenses require 60 renewal units. The requirements specific to each type of license are set forth in ARM ~~10.57.421, 10.57.422 and 10.57.423~~ 10.57.420(3);

~~(d)~~ (e) Class 6 licenses require college credit or renewal units as follows:

(i) and (ii) remain the same.

(iii) 60 renewal units;

(f) Class 7 licenses require 60 renewal units as verified by the tribe and as set forth in ARM 10.57.536;

(g) Class 8 licenses require 60 renewal units.

(2) and (3) remain the same.

(a) for activities other than (3)(b) or (c):

- (i) a planned and structured experience;
 - (b) (ii) of benefit to the license holder's professional development as defined in ARM 10.55.714; and
 - (c) (iii) an exposure to a new idea or skill or an extension of an existing idea or skill; and
 - (d) (iv) comply with (6) and (7); or
 - (e) (d) and (e) remain the same but are renumbered (b) and (c).
- (4) All renewal units must be earned during the valid term of the license. Renewal units earned through August 31 immediately following the expiration date of a license shall also be considered for renewal.
- (5) through (7) remain the same.

AUTH: 20-2-121, 20-4-102, MCA
IMP: 20-4-102, 20-4-108, MCA

10.57.216 APPROVED RENEWAL ACTIVITY (1) Providers of professional development activities which verify acceptable renewal unit activities for license renewal are: Organizations wishing to offer professional development activities for the award of renewal units may apply for annual provider status to the Superintendent of Public Instruction. The organization must receive approval prior to awarding renewal units. Status as an annual provider must be renewed July 1 of each year.

(a) state, regional or national accredited college and university programs, for which no application or prior approval is required;

(b) accredited school districts, upon submission and approval of an application for status as a provider of professional development renewal unit credit; and

(c) professional education organizations and government agencies (federal, state, tribal, county, city), upon submission and approval of an application for status as a provider of professional development renewal unit credit.

(2) Those school districts approved as providers of professional development may identify programs at locations other than their site of operation for renewal unit verification to be awarded by them. This may include out of state programs and conferences. Organizations which may be approved for status as a provider of professional development for renewal unit credit, upon submission and approval of an application for status as a provider of professional development renewal unit credit, may include:

(a) regionally accredited college and university programs offering activities for units other than college credit;

(b) public school districts or schools accredited by the Board of Public Education not part of a public school district which is an OPI-approved renewal unit provider;

(c) government agencies (federal, state, tribal, county, city); and

(d) other organizations providing professional development appropriate for educators in Montana's accredited K-12 schools.

(3) These entities approved by the superintendent of public instruction as Approved providers of professional development programs are those applicants who

for the award of renewal units must agree to: maintain a process in compliance with ARM 10.57.215 and this rule.

(a) Approved providers must agree to report the activities undertaken as professional development for renewal unit awards annually to the Superintendent of Public Instruction. provide activities deemed appropriate for educator license renewal in compliance with ARM 10.55.714 and 10.57.215;

(b) Approved providers must agree to submit to an audit of records conducted by the Superintendent of Public Instruction. Records which must be maintained by the provider include:

(i) the activity title and brief description;

(ii) date(s) and location of program;

(iii) program schedule and number of participants. prepare and issue completed renewal unit registration forms to eligible participants.

(c) For all programs designated as professional development for the purpose of issuing renewal units to license holders, the provider shall prepare and issue completed renewal unit registration forms to eligible participants. This form shall be provided by the Superintendent of Public Instruction and this form, or an approved facsimile, must be utilized for all renewal unit awards;

(c) report the activities undertaken as professional development for renewal unit awards to the Superintendent of Public Instruction. Annual provider status shall be continued upon complete reporting of all activities for the period of July 1 through June 30 of each year;

(d) submit to an audit of records conducted by the Superintendent of Public Instruction. Records which must be maintained by the provider include:

(i) the activity title and brief description;

(ii) date(s) and location(s) of the program; and

(iii) program schedule and number of participants; and

(e) maintain records of all professional development activities for which renewal unit awards are made for one year following the date of completion of the annual reporting requirement.

(4) Upon receipt of a complete and accurate annual report of professional development activities by the Superintendent of Public Instruction on or before the deadline for submission, the provider status shall be continued.

(5) The Superintendent of Public Instruction shall annually provide a report to the Board of Public Education, which shall include, at a minimum, a list of providers.

(6) Providers will be responsible for maintenance of records of all professional development activities for which renewal unit awards are made for one year following the date of completion of the annual reporting requirement.

AUTH: 20-4-102, MCA

IMP: 20-4-108, MCA

10.57.301 ENDORSEMENT INFORMATION (1) and (2) remain the same.

(3) Appropriate teaching areas acceptable for license endorsement include: agriculture, art K-12, biology, business education, career and vocational/technical education endorsements as determined by the superintendent of public instruction, chemistry, computer science K-12, drama, earth science, economics, elementary

~~education, English, English as a second language K-12, family and consumer sciences, French K-12, geography, German K-12, school counseling K-12, health, history, history-political science, industrial arts, journalism, Latin K-12, library K-12, marketing, mathematics, music K-12, other language K-12, physical education and health K-12, physical science, physics, political science, psychology, reading K-12, Russian K-12, science (broadfield), social studies (broadfield), sociology, Spanish K-12, special education P-12, speech communication, speech drama, technology education, trade and industry, and traffic education K-12.~~

~~(4) Appropriate career and vocational/technical education areas acceptable for endorsement on the class 4 license include but are not limited to: automotive technology, welding, auto body, industrial mechanics, small engines, heavy equipment operations, electronics, horticulture, agriculture mechanics, building trades, building maintenance, culinary arts, metals, drafting, computer information systems, graphic arts, aviation, health occupations, machining, and diesel mechanics.~~

~~(5) Appropriate administrative areas acceptable for license endorsement include: elementary principal, secondary principal, K-12 principal, K-12 superintendent and supervisor.~~

~~(6) Appropriate specialist areas acceptable for license endorsement are school psychologist and school counselor.~~

~~(7) Both elementary and secondary preparation, including student teaching or university supervised teaching experience are required for endorsement in any approved K-12 endorsement area. The K-12 endorsement areas outlined in (3) may also be endorsed at the elementary or secondary level depending on the verified level of preparation.~~

~~(a) A class 1 or 2 license may be endorsed in special education P-12 with program preparation at the elementary or secondary levels, or a balanced K-12 program of comparable preparation.~~

~~(b) The balanced K-12 license level option is available through Montana board of public education approved special education programs for those individuals with:~~

~~(i) a minimum of bachelor's degree completed, and~~

~~(ii) verified completion of an out-of-state state approved special education program which includes student teaching or university supervised teaching experience.~~

~~(c) completion of an accredited professional educator preparation program in any disability area shall result in a special education endorsement.~~

~~(8) Applicants with graduate degrees in an endorsable field of specialization may use experience instructing in relevant higher education courses as credit in that endorsement area for licensure.~~

~~(9) (3) An endorsement may be dropped from a teaching license at the end of the valid term of the license if minimum licensure requirements (major and minor or extended major) are met without that endorsement.~~

AUTH: 20-4-102, MCA

IMP: 20-4-103, 20-4-106, MCA

10.57.410 CLASS 2 STANDARD TEACHER'S LICENSE (1) remains the same.

(2) To obtain a Class 2 standard teacher's license an applicant must submit verification of all of the following: have a bachelor's degree and have completed

(a) meeting or exceeding the minimum educator licensure requirements in ARM 10.57.102(14);

(b) completion of an accredited professional educator preparation program;
and

(c) qualification for one or more endorsement as outlined in ARM 10.57.412.

(3) remains the same.

(4) A lapsed Class 2 standard teacher's license may be reinstated by showing verification of:

~~(a) 60 renewal units, 40 of which must be earned by college credit, earned during the five-year period preceding the validation date of the new license; or~~

~~(b) 120 renewal units, 80 of which must be earned by college credit, earned during the nine year period preceding the validation date of the new license.~~

AUTH: 20-2-121, 20-4-102, MCA

IMP: 20-4-102, 20-4-103, 20-4-106, 20-4-108, MCA

10.57.411 CLASS 1 PROFESSIONAL TEACHER'S LICENSE (1) remains the same.

(2) To obtain a Class 1 professional teacher's license an applicant must have submit verification of all of the following:

(a) eligibility for the Class 2 standard teacher's license as set forth in ARM 10.57.410;

~~(b) a master's degree or one year of study consisting of at least 30 graduate semester credits beyond the bachelor's degree in professional education or an endorsable teaching area(s) from an accredited college or university; and~~

~~(b) (c) verification of three years of successful teaching experience or the equivalent as defined by ARM 10.57.102(20).~~

(3) remains the same.

(4) A lapsed Class 1 professional teacher's license may be reinstated by showing verification of:

~~(a) 60 renewal units earned during the five-year period preceding the validation date of the new license; or~~

~~(b) 120 renewal units earned during the nine year period preceding the validation date of the new license.~~

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.412 CLASS 1 AND 2 ENDORSEMENTS (1) Subject field endorsement must be in areas approved for endorsement by the Board of Public Education.

(2) Areas approved for endorsement on Class 1 and 2 licenses include the following: agriculture, art K-12, biology, business education, chemistry, computer

science K-12, drama, earth science, economics, elementary education, English, English as a second language K-12, family and consumer sciences, geography, health, history, history-political science, industrial arts, journalism, library K-12, marketing, mathematics, music K-12, physical education K-12, school counseling K-12, science (broadfield), social studies (broadfield), sociology, special education P-12, speech-communication, speech-drama, technology education, trade and industry, traffic education K-12, and world languages.

(3) A license holder may qualify for a statement of specialized competency by the completion of a minimum of 20 semester college credit hours or equivalency in a specific academic area as approved by the Board of Public Education. Approved areas of permissive specialized competency are: early childhood education, gifted and talented education, and technology in education.

(1) and (2) remain the same but are renumbered (4) and (5).

(3) To obtain a K-12 endorsement, the applicant must provide verification of training in both elementary and secondary curriculum.

(4) Subject field endorsement must be in areas approved for endorsement by the Board of Public Education.

(6) Both elementary and secondary preparation, including student teaching or university supervised teaching experience, are required for endorsement in any approved K-12 endorsement area. The K-12 endorsement areas outlined in (2) may also be endorsed at the elementary or secondary level depending on the verified level of preparation.

(a) A Class 1 or 2 license may be endorsed in special education P-12 with program preparation at the elementary or secondary levels, or a balanced K-12 program of comparable preparation.

(b) The balanced K-12 license level option is available through Montana Board of Public Education-approved special education programs for those individuals with:

(i) a minimum of a completed bachelor's degree; and

(ii) verified completion of an out-of-state approved special education program which includes student teaching or university supervised teaching experience.

(c) Completion of an accredited professional educator preparation program in any disability area shall result in a special education endorsement.

(7) Applicants with graduate degrees in an endorsable field of specialization may use experience instructing in relevant higher education courses as credit in that endorsement area for licensure.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.413 CLASS 3 ADMINISTRATIVE LICENSE (1) remains the same.

(2) Appropriate administrative areas acceptable for license endorsement are the following: elementary principal, secondary principal, K-12 principal, K-12 superintendent, and supervisor.

(3) To obtain a Class 3 administrative license an applicant must provide verification of a hold at least the appropriate master's degree in an accredited school

administration program or the equivalent and must qualify for one of the endorsements set forth in ARM 10.57.414 through 10.57.419.

~~(3) A class 3 administrative license shall be renewed upon verification of 60 renewal units earned during the valid term of the license.~~

(4) A lapsed Class 3 administrative license may be reinstated by showing verification of:

(a) 60 renewal units earned during the five-year period preceding the validation date of the new license; or

~~(b) 120 renewal units earned during the nine-year period preceding the validation date of the new license.~~

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.414 CLASS 3 ADMINISTRATIVE LICENSE – SUPERINTENDENT ENDORSEMENT (1) To obtain a superintendent endorsement an applicant must provide verification of all of the following:

(a) a minimum of three years of successful teaching experience as an appropriately licensed and assigned Class 1 or 2 teacher or Class 6 school counselor; and

(b) a minimum of 18 semester graduate credits in a school administrator preparation program, of which 12 must be beyond the master's degree, in each of the following content areas:

(i) organizational leadership;

(ii) instructional leadership;

(iii) facilities planning and policy;

(iv) personnel and labor relations;

(v) community and board relations;

(vi) policy development; and

(vii) three semester credits of college coursework in Montana school law and three semester credits of college coursework in Montana school finance. Applicants who meet all other requirements for the superintendent endorsement but lack these courses shall be issued the Class 3 license and must sign and file a plan of professional intent with the Superintendent of Public Instruction agreeing to complete these courses by the first renewal of their Class 3 license.

(2) In addition to the requirements detailed in (1), every applicant must provide verification of either:

(a) an education specialist degree or doctoral degree in educational leadership from an accredited professional educator preparation program as defined in ARM 10.57.102(3); and

(b) a minimum of one year of administrative experience as an appropriately licensed principal or one year of a supervised Board of Public Education approved administrative internship as a superintendent; or

(b) (c) a master's degree in educational leadership or equivalent from an accredited professional educator preparation program as determined by the university system to include: or a master's degree in education from an accredited program; and

(i) (d) licensure/ and endorsement as a K-12 principal; and
(e) a minimum of one year of administrative experience as defined in ARM 10.57.102(20) or a minimum of one year of a supervised Board of Public Education approved administrative internship as superintendent.

~~(ii) one year of administrative experience as an appropriately licensed principal or one year of a supervised board of public education approved administrative internship as superintendent; and~~

~~(iii) a minimum of 18 semester graduate credits, of which 12 must be beyond the master's degree, in the following content areas:~~

- ~~(A) organizational leadership;~~
- ~~(B) instructional leadership;~~
- ~~(C) management to include finance, facilities, law and policy;~~
- ~~(D) personnel and labor relations; and~~
- ~~(E) community and board relations.~~

(3) A Class 3 administrative license endorsed as a superintendent shall be renewed as follows:

(a) for those applicants meeting all licensure requirements at the time of initial application, verification of 60 renewal units earned during the valid term of the license; or

(b) for those applicants not meeting the requirement of (1)(b)(vii), verification of three semester credits of college coursework in Montana school law and three semester credits of college coursework in Montana school finance earned during the valid term of the initial Class 3 license.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.415 CLASS 3 ADMINISTRATIVE LICENSE – ELEMENTARY PRINCIPAL ENDORSEMENT (1) remains the same.

(a) a minimum of three years of successful experience as an appropriately licensed and assigned Class 1 or 2 teacher or Class 6 school counselor at the elementary level; and

(b) remains the same.

(c) a master's degree from any accredited professional educator preparation program and a minimum of 24 graduate semester credits from a school administrator preparation program in the following content areas:

(i) and (ii) remain the same.

~~(iii) management to include finance and law~~ successful completion of three semester credits of college coursework in Montana school law; and

(iv) remains the same.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.416 CLASS 3 ADMINISTRATIVE LICENSE – SECONDARY PRINCIPAL ENDORSEMENT (1) remains the same.

- (a) a minimum of three years of successful experience as an appropriately licensed and assigned Class 1 or 2 teacher or Class 6 school counselor at the secondary level; and
- (b) remains the same.
- (c) a master's degree from any accredited professional educator preparation program and a minimum of 24 graduate semester credits from a school administrator preparation program in the following content areas:
 - (i) and (ii) remain the same.
 - (iii) ~~management to include finance and law~~ successful completion of three semester credits of college coursework in Montana school law; and
 - (iv) remains the same.
- (2) A Class 3 administrative license endorsed as a secondary principal shall be renewed upon verification of 60 renewal units earned during the valid term of the license.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.417 CLASS 3 ADMINISTRATIVE LICENSE – K-12 PRINCIPAL ENDORSEMENT (1) through (1)(b) remain the same.

- (c) a minimum of three years of successful experience as an appropriately licensed and assigned Class 1 or 2 teacher or Class 6 school counselor at any level within K-12; and
- (d) remains the same.
- (2) A Class 3 administrative license endorsed as a K-12 principal shall be renewed upon verification of 60 renewal units earned during the valid term of the license.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.418 CLASS 3 ADMINISTRATIVE LICENSE – SUPERVISOR ENDORSEMENT (1) remains the same.

- (2) A Class 3 administrative license endorsed as a supervisor shall be renewed upon verification of 60 renewal units earned during the valid term of the license.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.419 CLASS 3 ADMINISTRATIVE LICENSE – SPECIAL EDUCATION SUPERVISOR ENDORSEMENT (1) remains the same.

- (2) A Class 3 administrative license endorsed as a special education supervisor shall be renewed upon verification of 60 renewal units earned during the valid term of the license.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.420 CLASS 4 CAREER AND VOCATIONAL/TECHNICAL EDUCATION LICENSE (1) A Class 4 license is specific to career and vocational/technical education and shall be valid for a period of five years.

(2) There are three types of Class 4 licenses: ~~—Class 4A, 4B and 4C.~~

~~(2) A class 4 license shall be valid for a period of five years.~~

(a) A Class 4A license shall be issued to individuals holding a valid Montana secondary level teaching license, but without an appropriate career and technical education endorsement;

(b) A Class 4B license shall be issued to individuals with at least a bachelor's degree, but who do not hold a valid Montana secondary level teaching license with the appropriate career and technical education endorsement;

(c) A Class 4C license shall be issued to individuals who hold at least a high school diploma or GED and meet the minimum requirements for endorsement.

(3) remains the same.

(a) Class 4A licenses (with a bachelor's degree) shall be renewable by earning 60 renewal units, 40 of which must be earned through college credit. Endorsement related to technical studies may be accepted with prior approval. The first renewal must show evidence of renewal units earned in the following content areas:

(i) principles and/or philosophy of career and technical education;

(ii) safety and teacher liability.

(b) Class 4A licenses (with a master's degree) shall be renewable by earning 60 renewal units. The first renewal must show evidence of renewal units earned in the following content areas:

(i) principles and/or philosophy of career and technical education; and

(ii) safety and teacher liability.

(c) Class 4B or 4C licenses shall be renewable by earning 60 renewal units, 40 of which must be earned through college credit. Appropriate coursework to renew a Class 4B or 4C license includes the following:

(i) principles and/or philosophy of career and technical education;

(ii) curriculum and instruction in career and technical education;

(iii) learning styles/teaching styles; including serving students with special needs;

(iv) safety and teacher liability;

(v) classroom management;

(vi) teaching methods;

(vii) career guidance in career and technical education; and

(viii) endorsement related technical studies, with prior approval.

(4) Recognized occupations eligible for a class 4 license shall be evaluated on an annual basis by the Superintendent of Public Instruction. ~~Current appropriate class 4 career and vocational/technical occupational areas are set forth in ARM 10.57.301(4).~~ Endorsements not on the list of recognized occupations may be retained as long as the holder continues to renew the license.

(5) A lapsed Class 4 license may be reinstated by showing verification of the following:

(a) for Class 4A licenses:

(i) if the licensee does not have a master's degree, 60 renewal units, 40 of which must be earned by college credit or prior approved endorsement related technical studies, earned during the five-year period preceding the validation date of the new license; or

(ii) if the licensee has a master's degree, 60 renewal units earned during the five-year period preceding the validation date of the new license.

(b) for Class 4B and 4C licenses, the licensee must verify completion of four semester credits of coursework in the following areas:

(i) principles and/or philosophy of career and technical education;

(ii) curriculum and instruction in career and technical education;

(iii) learning styles/teaching styles; including serving students with special needs;

(iv) safety and teacher liability;

(v) classroom management;

(vi) teaching methods;

(vii) career guidance in career and technical education;

(viii) endorsement related technical studies, with prior approval.

~~60 renewal units, 40 of which must be earned by college credit and/or technical studies if the licensee does not have a master's degree, earned during the five-year period preceding the validation date of the new license;~~

~~(b) 120 renewal units, 80 of which must be earned by college credit and/or technical studies if the licensee does not have a master's degree, earned during the nine-year period preceding the validation date of the new license;~~

~~(c) 60 renewal units earned during the five-year period preceding the validation date of the new license if the licensee has a master's degree; or~~

~~(d) 120 renewal units earned during the nine-year period preceding the validation date of the new license if the licensee has a master's degree.~~

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.421 CLASS 4A CAREER AND VOCATIONAL/TECHNICAL EDUCATION LICENSE ENDORSEMENTS (1) Recognized occupations eligible for a Class 4 license shall be evaluated on an annual basis by the Superintendent of Public Instruction. Appropriate career and technical education areas acceptable for endorsement on the Class 4 license include but are not limited to the following: automotive technology, welding, auto body, industrial mechanics, small engines, heavy equipment operations, electronics, horticulture, agriculture mechanics, building trades, building maintenance, culinary arts, metals, drafting, computer information systems, graphic arts, aviation, health occupations, machining, diesel mechanics, videography, and theater arts. Endorsements not on the list of recognized occupations may be retained as long as the holder continues to renew the license.

(2) To obtain an endorsement on a Class 4 license, an applicant must provide the following:

(a) verification of a minimum of 10,000 hours of documented work experience which may include apprenticeship training, documenting the knowledge and skills required in the specific trade in which they are to teach. Acceptable documentation is determined by the superintendent and may include, but is not limited to:

(i) work experience completed and verified by previous employers, to include a detailed description of the duties performed during employment;

(ii) for self-employed individuals, examples of projects completed, letters of verification from clients or customers, profit and loss statements demonstrating the viability of the business or self-employment;

(iii) verification of teaching experience in the area requested for endorsement, accompanied by verification of substantial work experience in the area requested for endorsement;

(iv) certificates of completion of appropriate technical programs or related college degrees and coursework, and industry certification (e.g., ASE, AWS);

(b) for health occupations or computer information systems, an alternative to the above requirement of 10,000 hours work experience may be substituted as approved by the Superintendent of Public Instruction as follows:

(i) for health occupations:

(A) hold a Class 1 or 2 license with an endorsement in health or any of the science areas;

(B) verification of participation in or completion of an approved internship program in a medical setting; and

(C) successful completion of coursework in human biology and anatomy and physiology; or

(D) hold a current professional license or certificate in a related health occupation field;

(ii) for computer information systems an individual may provide verification of completion of an approved technical program in a recognized training institution and hold a professional license or recognized industry standard certificate.

(3) A Class 4A, 4B, or 4C career and technical education license may be approved to teach traffic education if the license meets the requirements of ARM 10.13.310. A class 4A license shall be issued to individuals holding a valid Montana secondary-level teaching license, but without an appropriate career and vocational/technical education endorsement, and who meet the following minimum requirements:

(a) 10,000 hours of documented work experience or apprenticeship training equal to 10,000 hours in the specific trade in which they are to teach;

(b) for computer information systems or health occupations, an alternative to the above requirement of 10,000 hours work experience may be substituted, as approved by the Superintendent of Public Instruction as follows:

(i) for health occupations an individual may hold a related health or science education endorsement, have completed an approved internship program in a recognized medical setting of a minimum of 200 hours (five weeks), and hold a current professional license or certificate.

~~(ii) for computer information systems an individual may provide verification of completion of an approved technical program in a recognized training institution and hold a professional license or recognized industry standard certificate.~~

~~(2) Class 4A licenses (with a master's degree) shall be renewable by earning 60 renewal units. The first renewal must show evidence of renewal units earned in the following content areas:~~

~~(a) principles and/or philosophy of career and vocational/technical education; and~~

~~(b) safety and teacher liability.~~

~~(3) Class 4A licenses (with a bachelor's degree) shall be renewable by earning 60 renewal units, 40 of which must be earned through college credit and/or technical studies. The first renewal must show evidence of renewal units earned in the following content areas:~~

~~(a) principles and/or philosophy of career and vocational/technical education; and~~

~~(b) safety and teacher liability.~~

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.424 CLASS 5 ALTERNATIVE LICENSE (1) remains the same.

(2) An applicant for a Class 5 alternative license must sign and file with the Superintendent of Public Instruction a plan of professional intent leading to the Class 1, 2, 3, or 6 license within three years of the date of the alternative license.

(3) A Class 5 alternative license is available with any endorsement normally allowed for Class 1, 2, 3, or 6 licenses.

(4) Class 5 alternative license holders are not eligible for a Board of Public Education approved internship program in the same endorsement area subsequent to the Class 5 licensure expiration date.

(5) When the endorsement-specific requirement in ARM 10.57.425 through 10.57.432 requires a master's degree, master's degrees which do not meet the specific requirement may be accepted with university approval.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.425 CLASS 5 ALTERNATIVE LICENSE – ELEMENTARY LEVEL

(1) remains the same.

(a) a bachelor's degree from an accredited college or university meeting or exceeding the minimal educator licensure requirements set forth in ARM 10.57.102(14);

(b) a minimum of 60 semester credits of academic preparation in language arts and literature, history, government and related social science, mathematics, and any two of the following: art, music, foreign languages, speech, drama, library science, or health; and

(c) professional preparation of at least six semester credits to include human growth and development, reading and/or language arts, social studies, and arithmetic; and

(d) for those licensees who have not completed an accredited professional educator preparation program, a plan of study from an accredited professional educator preparation program.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.426 CLASS 5 ALTERNATIVE LICENSE – SECONDARY LEVEL

(1) remains the same.

(a) a bachelor's degree from an accredited college or university meeting or exceeding the minimal educator licensure requirements set forth in ARM 10.57.102(14);

(b) a minimum of 30 semester credits in an area approved by the Board of Public Education for endorsement; and

(c) professional educator preparation of at least six semester credits; and

(d) for those licensees who have not completed an accredited professional educator preparation program, a plan of study from an accredited professional educator preparation program.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.427 CLASS 5 ALTERNATIVE LICENSE – SUPERINTENDENT ENDORSEMENT (1) remains the same.

(a) a master's degree in educational leadership from an accredited professional educator preparation program or equivalent;

(b) eligibility for a Class 1, 2, or 5, or 6 teaching license at the appropriate level;

(c) ~~verification~~ a minimum of three years of successful experience as an appropriately licensed and assigned Class 1 or 2 teacher or Class 6 school counselor at any level teaching experience; and

(d) ~~verification of~~ one year of appropriately licensed experience as a principal or one year of a supervised Board of Public Education approved administration internship as superintendent.

(2) Licensees more than six semester credits from meeting requirements for full licensure must also submit written evidence of either:

(a) enrollment in an accredited professional educator preparation program leading to the superintendent endorsement and enrollment in the Board of Public Education approved internship program as outlined in ARM 10.55.703; or

(b) enrollment in an accredited professional educator preparation program leading to the superintendent endorsement and an equivalent accredited university-provided professional educator intern program which must include or provide:

(i) supervision of the licensee by university personnel;

(ii) annual on-site visitations by the university supervisor; and

(iii) progress toward completion of requirements for the superintendent endorsement.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.428 CLASS 5 ALTERNATIVE LICENSE – ELEMENTARY PRINCIPAL ENDORSEMENT (1) To obtain a Class 5 alternative license with an elementary principal endorsement, an applicant must provide verification of:

- (a) remains the same.
- (b) eligibility for a Class 1, 2, or 5, or 6 teaching license at the elementary level; and
- (c) verification a minimum of three years of successful teaching experience as an appropriately licensed and assigned Class 1 or 2 teacher or Class 6 school counselor at the elementary level.

(2) Licensees more than six semester credits from meeting requirements for full licensure must also submit written evidence of either:

(a) enrollment in an accredited professional educator preparation program leading to the elementary principal endorsement and enrollment in the Board of Public Education approved internship program as outlined in ARM 10.55.703; or

(b) enrollment in an accredited professional educator preparation program leading to the elementary principal endorsement and an equivalent accredited university-provided professional educator intern program which must include or provide:

- (i) supervision of the licensee by university personnel;
- (ii) annual on-site visitations by the university supervisor; and
- (iii) progress toward completion of requirements for the superintendent endorsement.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.429 CLASS 5 ALTERNATIVE LICENSE – SECONDARY PRINCIPAL ENDORSEMENT (1) and (1)(a) remain the same.

(b) eligibility for a Class 1, 2, or 5, or 6 teaching license at the secondary level; and

(c) verification a minimum of three years of successful teaching experience as an appropriately licensed and assigned Class 1 or 2 teacher or Class 6 school counselor at the elementary level.

(2) Licensees more than six semester credits from meeting requirements for full licensure must also submit written evidence of either:

(a) enrollment in an accredited professional educator preparation program leading to the secondary principal endorsement and enrollment in the Board of Public Education approved internship program as outlined in ARM 10.55.703; or

(b) enrollment in an accredited professional educator preparation program leading to the secondary principal endorsement and an equivalent accredited

university-provided professional educator intern program which must include or provide:

- (i) supervision of the licensee by university personnel;
- (ii) annual on-site visitations by the university supervisor; and
- (iii) progress toward completion of requirements for the superintendent endorsement.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.430 CLASS 5 ALTERNATIVE LICENSE – K-12 PRINCIPAL ENDORSEMENT (1) and (1)(a) remain the same.

(b) eligibility for a Class 1, 2, or 5, or 6 teaching license at any level within K-12; and

(c) verification a minimum of three years of successful teaching experience as an appropriately licensed and assigned Class 1 or 2 teacher or Class 6 school counselor at any level with K-12.

(2) Licensees more than six semester credits from meeting requirements for full licensure must also submit written evidence of either:

(a) enrollment in an accredited professional educator preparation program leading to the K-12 principal endorsement and enrollment in the Board of Public Education approved internship program as outlined in ARM 10.55.703; or

(b) enrollment in an accredited professional educator preparation program leading to the K-12 principal endorsement and an equivalent accredited university-provided professional educator intern program which must include or provide:

- (i) supervision of the licensee by university personnel;
- (ii) annual on-site visitations by the university supervisor; and
- (iii) progress toward completion of requirements for the superintendent endorsement.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.432 CLASS 5 ALTERNATIVE LICENSE – SPECIALIST ENDORSEMENT (1) remains the same.

(a) a master's degree or greater in school psychology or related field from an accredited school psychologist professional educator preparation program; and

(b) completion of at least 12 of the following 16 requirements: recommendation from the Montana Association of School Psychologists Competency Review Board.

(i) undergraduate or graduate general education/psychology course work/content to include:

- (A) careers;
- (B) human growth and development;
- (C) general psychology;
- (D) abnormal psychology; and
- (E) learning theory;

~~(ii) undergraduate or graduate general education course work/content to include:~~

- ~~(A) exceptional children (must include special education);~~
- ~~(B) curriculum development;~~
- ~~(C) diagnosis and remediation of reading; and~~
- ~~(D) educational evaluation; and~~

~~(iii) graduate psychological methods and techniques course work/content to include:~~

- ~~(A) individual intelligence testing;~~
 - ~~(B) child psychopathology and achievement testing;~~
 - ~~(C) personality assessment;~~
 - ~~(D) interviewing and counseling;~~
 - ~~(E) behavior interventions;~~
 - ~~(F) school psychology practicum/internship; and~~
 - ~~(G) administration, role and function of school psychology; and~~
 - ~~(e) specific completion of the individual intelligence testing requirement.~~
- (2) remains the same.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.433 CLASS 6 SPECIALIST LICENSE (1) through (3) remain the same.

(4) A lapsed Class 6 specialist license may be reinstated by showing verification of:

- ~~(a) four graduate semester credits or equivalent renewal units earned during the five-year period preceding the validation date of the new license; or~~
- ~~(b) eight graduate semester credits or equivalent renewal units earned during the nine year period preceding the validation date of the new license.~~

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.434 CLASS 6 SPECIALIST LICENSE – SCHOOL PSYCHOLOGIST

(1) and (1)(a) remain the same.

~~(b) a master's degree in school psychology or a master's degree which includes the following minimums: an education specialist degree in a related field from an accredited institution; and~~

~~(c) recommendation from the Montana Association of School Psychologists Competency Review Board after completion of an oral examination.~~

~~(i) 10 semester credits in general education/psychology (graduate or undergraduate) training to include:~~

- ~~(A) new careers or transitions;~~
- ~~(B) human growth and development;~~
- ~~(C) general psychology;~~
- ~~(D) educational psychology; and~~
- ~~(E) abnormal psychology;~~

~~(ii) completion of the following course work is required at either the undergraduate or graduate level, provided the applicant has a master's degree from an accredited program:~~

- ~~(A) exceptional children (must include special education);~~
- ~~(B) curriculum development;~~
- ~~(C) diagnosis and remediation of reading; and~~
- ~~(D) educational evaluation; and~~

~~(iii) completion of the following specific course work in psychological methods and techniques is required at the graduate level:~~

- ~~(A) individual intelligence testing;~~
- ~~(B) child psychopathology;~~
- ~~(C) personality assessment;~~
- ~~(D) interviewing and counseling;~~
- ~~(E) behavioral interventions;~~
- ~~(F) school psychology practicum/internship (a minimum of four semester hours of graduate credit or appropriate waiver); and~~
- ~~(G) administration, role and function of school psychology.~~

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.435 CLASS 6 SPECIALIST LICENSE – SCHOOL COUNSELOR

(1) remains the same.

(2) A Class 6 specialist endorsed in school counseling may be approved to teach traffic education if the licensee meets the requirements of ARM 10.13.310 and is approved by the Superintendent of Public Instruction.

AUTH: 20-4-102, MCA

IMP: 20-4-106, 20-4-108, MCA

10.57.436 CLASS 7 AMERICAN INDIAN LANGUAGE AND CULTURE SPECIALIST (1) through (3) remain the same.

(4) A Class 7 American Indian language and culture specialist licensee may be approved to teach traffic education if the licensee meets the requirements of ARM 10.13.310 and is approved by the Superintendent of Public Instruction.

(4) and (5) remain the same but are renumbered (5) and (6).

AUTH: 20-4-102, MCA

IMP: 20-4-103, 20-4-106, MCA

10.57.601A DEFINITION OF "IMMORAL CONDUCT" (1) remains the same.

(a) sexual contact, as defined in 45-2-101~~(66)~~ (67), MCA, or sexual intercourse as defined in 45-2-101~~(67)~~ (68), MCA, between a teacher, specialist, or administrator and a person the teacher, specialist, or administrator knows or reasonably should know is a student at a public or private elementary or secondary school;

(b) through (b)(xx) remain the same.

(xxi) 45-5-622(3), MCA (endangering welfare of children);

(c) through (d) remain the same.

(e) falsifying, intentionally misrepresenting, willfully omitting, or being negligent in reporting information submitted to federal, state, and other governmental agencies such as professional qualifications, criminal history, and information submitted in the course of an official inquiry or investigation, college or professional development credit and/or degrees, academic awards, and employment history when applying for employment and/or licensure, or when recommending an individual for employment, promotion, or licensure.

AUTH: 20-4-102, MCA

IMP: 20-4-110, MCA

4. Statement of Reasonable Necessity: By authority of 20-4-102, MCA the Board of Public Education adopts policies for the issuance of teacher licenses. The board regularly considers recommendations for revision of the policies at any time it deems necessary. Every five years the board makes a comprehensive review of licensure policies to ensure that such policies are meeting the needs of the state. Therefore, the Board of Public Education has determined it is reasonable and necessary to amend and repeal rules relating to chapter 57, educator licensure. The Certification Standards and Practices Advisory Council staff and the Office of Public Instruction staff facilitated the comprehensive process to amend chapter 57, educator licensure with input from Montana P-20 education stakeholders.

5. The rules proposed for repeal follow:

ARM 10.57.104 STUDENT TEACHING/SUPERVISED PRACTICE is being repealed because the provisions in this rule have been included in ARM 10.57.201.
AUTH: 20-4-102, MCA; IMP, 20-4-102, MCA

ARM 10.57.110 AREA OF PERMISSIVE SPECIALIZED COMPETENCY is being repealed because the provisions in this rule have been included in ARM 10.57.413.
AUTH: 20-4-102, MCA; IMP, 20-4-103, MCA

ARM 10.57.220 RECENCY OF CREDIT is being repealed because the provisions in this rule have been included in ARM 10.57.201.
AUTH: 20-4-102, 20-4-103, MCA; IMP, 20-4-102, 20-4-103, 20-4-106, MCA

ARM 10.57.422 CLASS 4B CAREER AND VOCATIONAL/TECHNICAL EDUCATION LICENSE is being repealed because the provisions in this rule have been included in ARM 10.57.420 and 10.57.421.
AUTH: 20-4-102, MCA; IMP, 20-4-106, 20-4-108, MCA

ARM 10.57.423 CLASS 4C CAREER AND VOCATIONAL/TECHNICAL EDUCATION LICENSE is being repealed because the provisions in this rule have been included in ARM 10.57.420 and 10.57.421.

AUTH: 20-4-102, MCA; IMP, 20-4-106, 20-4-108, MCA

6. Pursuant to the agreement between the Board of Public Education and the Legislature, the board does not anticipate any implementation costs, but shall request and report in its adoption notice any cost estimates received from districts during the hearing.

7. Concerned persons may present their data, views, or arguments, either orally or in writing, at the hearing. Written data, views, or arguments may also be submitted by mail to the Board of Public Education, P.O. Box 200601, Helena, Montana 59620-0601, or by e-mail to smeloy@mt.gov and must be received no later than 5:00 p.m. on February 26, 2009.

8. Steve Meloy has been designated to preside over and conduct the hearing.

9. The Board of Public Education maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to Steve Meloy, P.O. Box 200601, Helena, Montana 59620-0601, faxed to the office at (406) 444-0847, by e-mail to smeloy@mt.gov, or may be made by completing a request form at any rules hearing held by the Board of Public Education.

10. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

11. The requirements of 20-1-501, MCA, have been fulfilled. Copies of these rules have been sent to all tribal governments in Montana.

/s/ Patty Myers

Patty Myers, Chairperson
Board of Public Education

/s/ Steve Meloy

Steve Meloy, Rule Reviewer
Board of Public Education

Certified to the Secretary of State January 20, 2009.